

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFAEL CORDERO, *Individually, and On Behalf
of All Others Similarly Situated,*

Plaintiff,

-against-

POLAR ELECTRO INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/16/2023

1:22-cv-05688-MKV

ORDER OF DISMISSAL

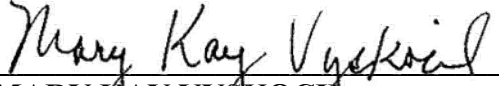
MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter filed by Plaintiff informing the Court that the parties have reached a settlement in principle. [ECF No. 35]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by November 27, 2023. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

It is FURTHER ORDERED that the Initial Pretrial Conference scheduled for October 20, 2023 at 11:30 AM is adjourned *sine die*.

SO ORDERED.

**Date: October 16, 2023
New York, NY**


**MARY KAY VYSKOCIL
United States District Judge**